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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,

Plaintiff,

-against-

THE SCOTTS COMPANY

Defendant.

08 Civ. 1064 (LAK)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed Declaration of Craig S. Friedman, dated July 17, 2008, together with the exhibits thereto, and the accompanying memorandum of law, Defendant The Scotts Company LLC (incorrectly named in the Complaint as “The Scotts Company”) will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, United States Courthouse, 500 Pearl Street, New York 10007, to fix the amount of sanctions against Plaintiff’s counsel, Sandra Frelix, Esq., pursuant to the Court’s July 3, 2008 Order and 28 U.S.C. § 1927.

Dated: July 17, 2008

JONES DAY

/s/ Craig S. Friedman

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